

REMARKS

Upon entry of the proposed claim amendments submitted herein, claims 1-3, 5-6, 15-20 and 38-39 are currently pending in the instant application.

Claims 1-3 (and their respective dependent claims, including new claims 38-39) have been amended to recite an autoimmune or inflammatory disorder “selected from the group consisting of multiple sclerosis and rheumatoid arthritis.” Support for this amendment can be found throughout the specification and in the claims as originally filed. For example, support for this amendment can be found at least at page 20, lines 4-8. Accordingly, no new matter has been added.

I. Claim Rejections Under 35 U.S.C. § 102(b)

Claims 1-3, 5-6 and 15-20 have been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,021,451 to McLane *et al.* (“McLane”). According to the Examiner, McLane discloses lovastatin as useful for treating psoriasis and, therefore, inherently anticipates the methods of the instant application. (Office Action, pp. 2-3).

Claims 1-3 and their respective dependent claims (including claims 5-6 and 15-20) have been amended to delete reference to psoriasis. Applicant reserves the right to prosecute the cancelled subject matter in related applications. Claims 1-3 (and the claims that depend therefrom) recite methods of achieving MHC-class II-mediated immunomodulation, immunosuppression or anti-inflammatory effect in humans with multiple sclerosis or rheumatoid arthritis. Thus, the pending claims, *i.e.*, claims 1-3, 5-6 and 15-20, are not directed to methods of administering a statin to patients suffering from psoriasis.

Because McLane fails to disclose or suggest treatment of multiple sclerosis or rheumatoid arthritis, this reference cannot destroy the novelty of the claimed methods. Accordingly, this rejection should be withdrawn.

CONCLUSION

On the basis of the foregoing amendments and arguments, Applicant submits that the pending claims are in condition for allowance. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below.

Respectfully submitted,



Iyor R. Elrifi, Reg. No. 39,529
Attorney for Applicant
Tel: (617) 542-6000
Fax: (617) 542-2241

Customer No. 30623